

**Congress of the United States**  
**Washington, DC 20515**

June 17, 2014

The Honorable Gina McCarthy  
Administrator  
United States Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Dear Administrator McCarthy:

We write to respectfully urge the United States Environmental Protection Agency (EPA) to finalize strong federal standards for the safe disposal of coal ash under the Resource Conservation and Recovery Act (RCRA) by the end of 2014. We support a final coal ash rule which establishes federal backstop protections including financial assurance, enforceable deadlines, and stringent requirements for coal ash management and cleanup. We encourage the EPA to finalize protections that phase out dangerous wet impoundments, including those at legacy sites, and ensure that facilities use protective liners and groundwater monitoring to safeguard against contamination.

Coal ash, the byproduct left from coal combustion, has several safe reuses but excess coal ash is often stored in more than 400 landfills and more than 1,000 wet impoundments near power plants across the country. Chemicals in coal ash can be harmful to human health and the environment if storage impoundments fail and they contaminate ground water, streams, rivers, or lakes. Coal ash can enter the watershed through the catastrophic failure of an impoundment wall or can slowly leach into groundwater and surface water when the impoundment is unlined. Our constituents deserve to be able to count on safe drinking water and to have their waterways protected from harmful contaminants.

Major coal ash spills in 2014 into the Dan River in North Carolina and in 2008 in Kingston, Tennessee are examples of full impoundment failures and show that our constituents must be better protected. Both spills originated from wet coal ash impoundments located near power plants adjacent to rivers where the failure of impoundment walls sent harmful chemicals directly into the waterways. The Dan River spill caused coal ash to travel 70 miles downstream and the Kingston spill caused more than one billion gallons of coal ash to enter the water supply and destroyed residential communities. The EPA has evaluated wet coal ash impoundments across the country and found more than 300 sites which would endanger human life, or cause significant economic, environmental, or infrastructure damage if full failures occurred.


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Far more common than full impoundment failure is the slow leaching of coal ash contaminants from wet impoundments into ground and surface waters. The majority of wet impoundments across the country lack adequate liners and groundwater monitoring systems. The EPA has identified more than 200 cases of water contamination from coal ash in 27 states.

It appears we are only now beginning to see the alarming truth about coal ash in our communities. It is troubling that it has taken large coal ash spills like those in North Carolina and Tennessee to mobilize stakeholders to engage in a frank dialogue about its dangers and propose changes to mitigate those hazards. Those catastrophes could have been avoided and we owe it to all Americans to put the necessary safeguards in place to ensure similar disasters do not occur in the future.

Thank you for your attention to this matter. We look forward to its timely resolution.

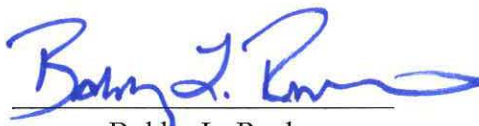
Sincerely,

  
G. K. Butterfield  
Member of Congress

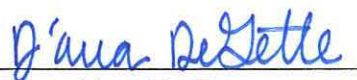
  
David Price  
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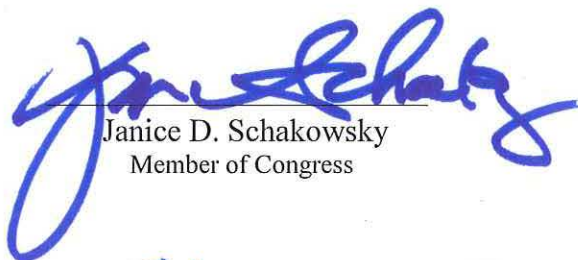
  
Anna G. Eshoo  
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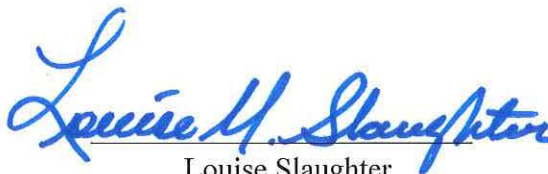
  
Frank Pallone, Jr.  
Member of Congress

  
Diana DeGette  
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Paul Tonko  
Member of Congress



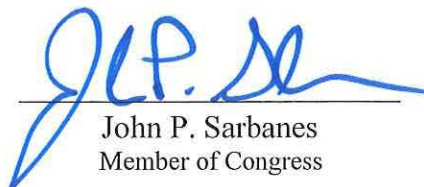
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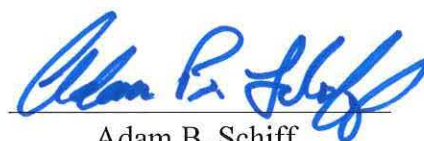
Robin Kelly  
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C. A. Dutch Ruppersberger  
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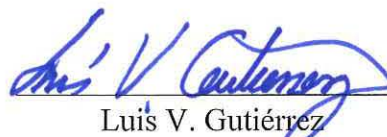
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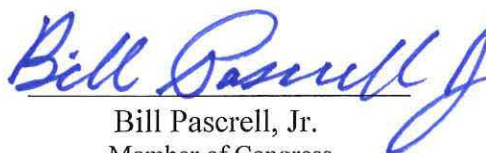
Scott Peters  
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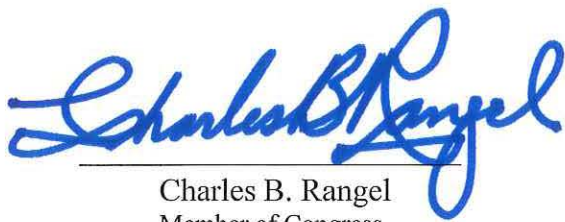


Steve Cohen  
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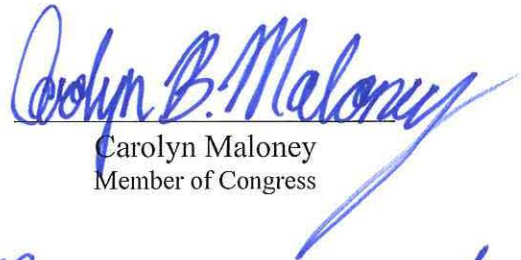
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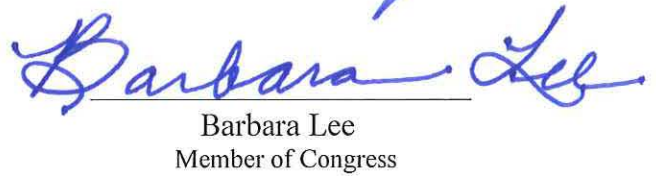
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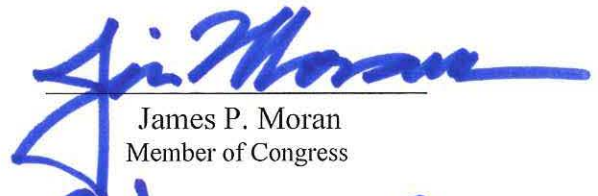
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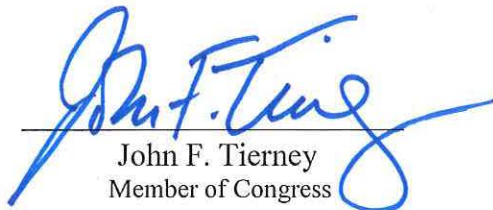
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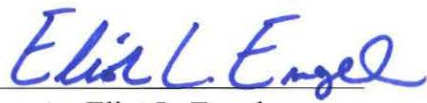
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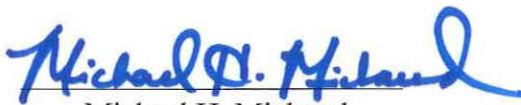
Sheila Jackson Lee  
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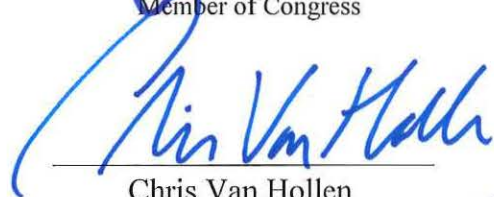
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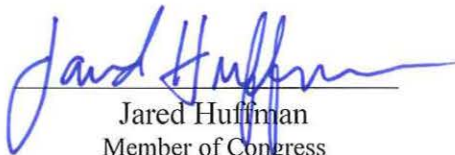
Betty McCollum  
Member of Congress



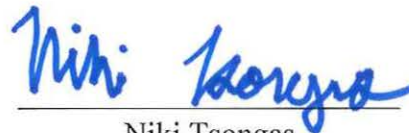
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Chris Van Hollen  
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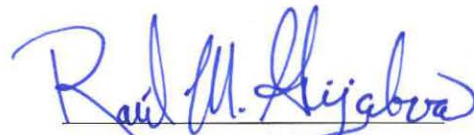
Jared Huffman  
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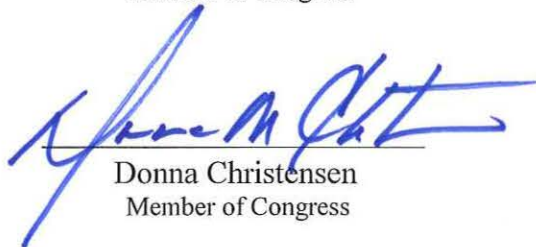
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Donna Christensen  
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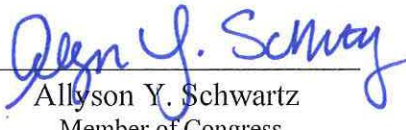
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Sander Levin  
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Allyson Y. Schwartz  
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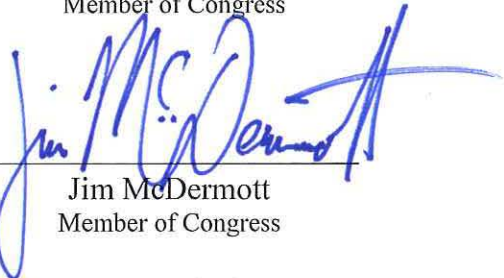
Rush Holt  
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Robert C. "Bobby" Scott  
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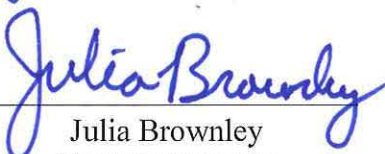
Mike Quigley  
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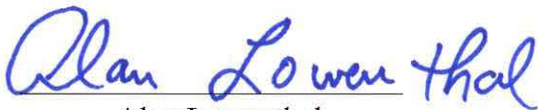
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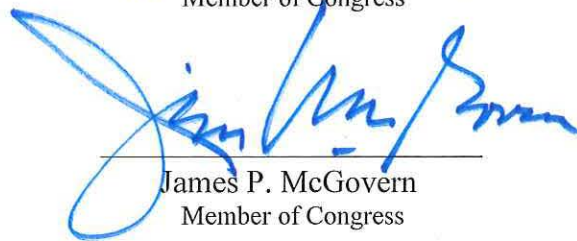
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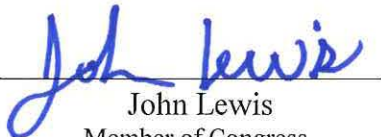
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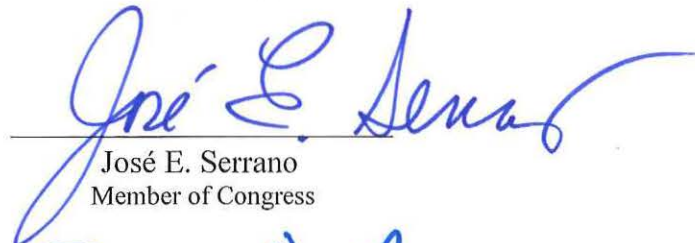
  
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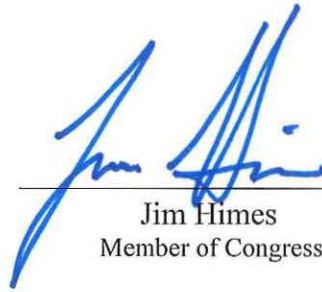
  
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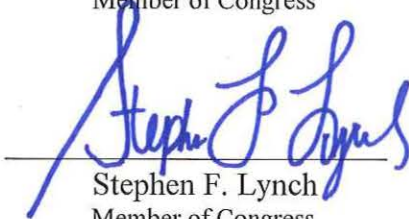
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